

**Summary of Seventh Negotiation Session on
New Water Supply Agreement**

Date of Session: April 28, 2003
Place: Santa Rosa Laguna Pumping Plant
Time: 9:00 AM – Noon

Parties Present and Represented:

Cities: Cotati, Petaluma, Rohnert Park, Santa Rosa, Sonoma, Windsor
Districts: North Marin, Marin Municipal, Sonoma County Water Agency,
and Valley of the Moon Water District.

Attachment A contains complete list of attendees.

Opening Public Comment

Miles Ferris, chairman of the WAC, opened the meeting inviting public comment. There was none.

Voting Method

Voting represents the consensus of the ten parties (Cotati, Petaluma, Rohnert Park, Santa Rosa, Sonoma, Windsor, Forestville Water District, North Marin Water District, Marin Municipal Water District (MMWD) and Valley of the Moon Water District). Each of the ten has one vote to cast pursuant to the rule adopted by the WAC at its meeting of September 9, 2002, namely:

- Decision making style: Consensus (defined as all Parties agreeing they are either (a) for an issue (thumbs up), (b) can live with it (thumbs horizontal) or (c) opposed (thumbs down). Vote results are reported in parentheses where taken as (a/b/c).
- If Parties can't come to consensus, table the issue and deal with it at the end of the negotiation.

Recap of Prior Negotiation Session

As background, consultant John Nelson reviewed actions and work products coming out of the March 24th session. The parties then approved the minutes of the prior session and took up the following.

Feedback from the Town of Windsor

Matt Mullan reported the Town Council met on April 16th and accepted the key conditions set forth in the letter to the Town dated March 19, 2003 and:

- stated its interest in remaining a participant in negotiations, and
- agreed in principal to all the conditions set forth by the WAC in the letter of March 19th and welcomed the opportunity for further discussion of the amount and method of payment of the estimated \$2.3 million “buy-in” charge.

The complete response from the Town is included as Attachment B.

Status of Proposed Letters to MMWD

Chris DeGabriele reported a meeting was held for WAC staff representatives on March 18, 2003 to discuss a response to concerns raised by MMWD staff with regard to the initial draft letter and that the group did not object to pursuing some changes he presented at that meeting that would perhaps make the offer a win-win situation for MMWD and the WAC. He suggested and the WAC accented to holding another meeting with MMWD officials during the week of May 12th to consider these and report back to the WAC with a suggested final draft letter by the next negotiation session on May 19th.

Final Language for Conservation Issues

Randy Poole stated the recommended changes and language suggested by the WAC at the February 24th negotiation session were fine with the Agency. He noted the language would change if MMWD were not included in the new agreement as a prime contractor. The final language, including the last three changes suggested by the WAC at its February 24th session, are shown in Attachment C.

Feedback on Governance Issues

Randy Poole said he would like to hold off on suggesting detailed language addressing communication and reporting issue language suggested by the WAC (Framework Issues T, U and V) until further negotiation of the major issues.

General Plan Coordination

Virginia Porter stated that a letter dated April 16, 2003 was sent to the Citizen Advisory Committee (CAC) working on drafting elements of the new County General Plan. As directed by the WAC, the letter requested opportunity for comment by the WAC on recent significant changes developed and being recommended by the CAC that delve into important water resource policy and program issues (such as avoidance of use of ground water in urban areas). After discussion, the consensus was that the CAC process has gone too far and that the WAC should concentrate on commenting directly to the Planning Commission. It was agreed this issue should be dealt with at regular WAC meetings from now on and that that a representative of the County PRMD staff should be requested to attend and comment on the schedule.

Negotiate 21 Key Issues in Contention between the SCWA and WAC

Agreeing to diverge from its prior plan to take up Framework Issues, the parties opted to focus on 21 issues identified by the SCWA as being in contention as described in the Draft 2000 Water Policy Statement and then return their attention to Framework Issues not yet discussed or resolved. John Nelson noted he had prepared a table containing all 21 of these issues; setting forth the WAC's position, the SCWA's position, and containing his recommended resolution of each. The first five items (Part I of the table) were Framework Issues identified by the WAC but believed by the SCWA to be "outside the scope" of the new agreement. The 16 other issues (Part II of the table) were issues cited by the SCWA as "additional Framework Issues" and were set forth as an attachment to the Draft 2000 Water Policy Statement. Mr. Nelson noted he had met with Mr. Poole to get his view on his suggested resolutions. He said he was encouraged that all of the issues could be resolved and presented Attachment D, a draft of the table with his revised recommendations. The parties then reviewed the table and commenced IBN negotiations on each. By the end of the session, all of Part I and Items 1 through 4 had been reviewed and discussed. John Nelson was directed to prepare another draft of the table before the next negotiation session with revisions agreed to or suggested for further consideration.

Follow-up Tasks for Next Session

1. Recap of April 28th Negotiation Session (Nelson).
2. Review/Approve Final Conservation Language (Nelson).
3. Agency's Suggested Language re. Framework Issues T, U and V dealing with reporting and communication. (Poole)
4. Consider Letter to MMWD (DeGabriele)
5. Continued Negotiation of 21 Key Issues in Contention between SCWA and WAC

Next Negotiation Session

Time and Date: 9:00 AM-12:00 PM, May 19, 2003
Place: Santa Rosa's Laguna Treatment Plant

Attachment A

Attendees Of Water Advisory Committee Negotiation Meeting For April 28, 2003

Attendees:

- Chris Sliz, City of Santa Rosa
- Miles Ferris, City of Santa Rosa
- Mike Martini, City of Santa Rosa
- Jane Bender, City of Santa Rosa
- Virginia Porter, City of Santa Rosa
- John Nelson, JONWRM
- Jake Mackenzie, City of Rohnert Park
- Bill Stephens, City of Rohnert Park
- Carl Leivo, City of Rohnert Park
- Chris DeGabriele, North Marin Water District
- Syed Rizvi, North Marin Water District
- Al Bandur, City of Sonoma
- Mike Fuson, City of Sonoma
- Toni Bertolero, City of Cotati
- Janet Orchard, City of Cotati
- Ron Theisen, Marin Municipal Water District
- Pam Nicolai, Marin Municipal Water District
- Steve Phelps, Marin Municipal Water District
- Paul Berlant, Town of Windsor
- Matt Mullan, Town of Windsor
- Ron Prushko, Valley of the Moon Water District
- Mike Ban, City of Petaluma
- Pam Torliatt, City of Petaluma
- Steve Simmons, City of Petaluma
- Mike Healy, City of Petaluma
- Randy Poole, Sonoma County Water Agency

Public Attendees:

- Brenda Adelman, RRWPC
- Jo Timmsen, Tell the Truth
- Don McEnhill, League of Women Voters
- Bob Anderson, United Winegrowers